

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO.: CR-13-063-F

ROBERT JOSEPH “BOB” ROLLY,
TEN GRANDCHILDREN FOUNDATION et al.,

Defendants.

**ROBERT JOSEPH “BOB” ROLLY’S AND TEN GRANDCHILDREN FOUNDATION’S
UNOPPOSED MOTION TO DISMISS SUPERSEDING INDICTMENT**

COME NOW Defendants, ROBERT JOSEPH “BOB” ROLLY (“Mr. ROLLY”) and TEN GRANDCHILDREN FOUNDATION, by and through their undersigned attorney, and hereby submit their Unopposed Motion to Dismiss Superseding Indictment and state as follows:

1. On March 11, 2016, Mr. ROLLY passed away in the State of Florida. A true and correct copy of the Death Certificate is attached hereto and incorporated by reference herein as Exhibit “1.”

2. The undersigned attorney for the moving Defendants has conferred with Assistant United States Attorney Travis Smith and is authorized to represent to the Court that the Government does not oppose the dismissal of the Superseding Indictment against Mr. ROLLY and TEN GRANDCHILDREN FOUNDATION based upon Mr. ROLLY’s death.

3. However, counsel for the moving Defendants acknowledges his understanding that the Government intends to maintain the civil forfeiture proceedings previously initiated against the property and money owned by Mr. ROLLY notwithstanding his death.

WHEREFORE Defendants, ROBERT JOSEPH "BOB" ROLLY and TEN GRANDCHILDREN FOUNDATION, respectfully request that the Court enter an Order dismissing the Superseding Indictment for the reasons expressed herein and providing such other and further relief as the Court deems just and proper.

DATED this 19th day of April, 2016

Respectfully Submitted,

/s/ Daniel N. Brodersen
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Motion to Dismiss was filed with the Clerk of the Court utilizing the CM/ECF system this 19th day of April, 2016 and that an electronic copy of this document was thereby transmitted to all counsel of record in the above-styled action.

/s/ Daniel N. Brodersen
Attorney